

**MINUTES**

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

HON. <u>MYRON H. THOMPSON,</u>	JUDGE	AT <u>MONTGOMERY,</u>	ALABAMA
DATE COMMENCED	<u>DECEMBER 19, 2005</u>	AT <u>9:03</u>	A.M./P.M.
DATE COMPLETED	<u>DECEMBER 19, 2005</u>	AT <u>10:35</u>	A.M./P.M.

ANTHONY T. LEE, )  
)  
Plaintiff, )  
)  
UNITED STATES OF AMERICA, )  
)  
Plaintiff-Intervenor, )  
)  
NATIONAL EDUCATION ASSOCIATION, )  
)  
Plaintiff-Intervenor, )  
)  
v ) Cr No. 3:70-cv-00846-T  
)  
MACON COUNTY BOARD OF EDUCATION, )  
)  
Defendant. )

<u>PLAINTIFF(S)/GOVERNMENT</u>	<u>APPEARANCES</u>	<u>DEFENDANT(S)</u>
	X	
Atty Fred David Gray	X	Atty Deborah Hill Biggers
	X	
Atty Pauline Miller	X	
	X	

<u>COURT OFFICIALS PRESENT:</u>		
Kevin Kish, Law Clerk	Sheila Carnes, Courtroom Clerk	Mitchell Reisner, Court Reporter

PROCEEDINGS:

( ) NONJURY TRIAL

(x) OTHER PROCEEDING: **FAIRNESS HEARING**

9:03 a.m. Court convened; fairness hearing commenced.  
I Comments/objections (Mr. Tew and Mr. Anderson).  
Court advised that some students may be illegally attending  
schools outside of the district.

10:26 a.m. II Evidence presented.  
Evidence concluded.  
Order to issue declaring unitary status, except as to  
possible illegal intra-district transfers. United States to  
submit proposed order within 30 day.

10:35 a.m. Hearing concluded.